



Institute for Spam and Internet Public Policy

<http://www.isipp.com>

10 Things You Should Know About CAN-SPAM

1. CAN-SPAM applies only to commercial email.
2. CAN-SPAM applies to email for which a primary purpose is to feature your goods, services, or content even if you do not send the email yourself; however
3. CAN-SPAM does not apply to third-party advertisers who advertise in your mailings.
4. CAN-SPAM can apply to email sent out by your affiliates on your behalf; however
5. CAN-SPAM will not apply to email sent out by your affiliates on your behalf unless you know, or should know, that the email is being sent in violation of CAN-SPAM and you stand to gain from it financially, and you don't try to stop it.
6. CAN-SPAM requires that all information in your email headers and body be true, accurate, and not misleading.
7. CAN-SPAM requires you to provide a fully-functioning means of return Internet-based communication for the purpose of the recipient opting-out of your mailings.
8. CAN-SPAM requires you to honor those opt-out requests, and to immediately cease sharing the user's address even with previously agreed-to partners.
9. CAN-SPAM does not require that you use confirmed opt-in for your mailings, however it is one of the best defenses against an accusation of CAN-SPAM violation.
10. CAN-SPAM does not require ISPs to accept email which is CAN-SPAM compliant. In fact, ISPs are specifically exempted from claims that they must accept email if it complies with CAN-SPAM.

"10 Things You Should Know About CAN-SPAM", is reprinted from the eBook "CAN-SPAM and You: Emailing Within the Law", by Anne P. Mitchell, Esq. and available at <http://www.isipp.com/can-spam-and-you.php>

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